

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	04cr1110 (DLC)
	:	11cv1556 (DLC)
-v-	:	
	:	
ANGELO DIPIETRO,	:	<u>ORDER</u>
	:	
Defendant.	:	
	:	
-----X		

DENISE COTE, District Judge:

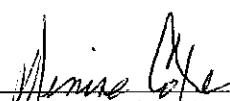
The defendant Angelo DiPietro has made a motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). On May 18, 2021, the motion was denied without prejudice to renewal.

The Court sentenced DiPietro to a term of 210 months' imprisonment on most of the underlying counts of conviction in this case. This 210 month sentence is to run concurrently to the sentence of 324 months' imprisonment imposed in Case No. 02cr1237, which is currently assigned to the Honorable Loretta Preska. In the instant case, the Court also sentenced DiPietro to a term of 300 months' imprisonment on a count of violating 18 U.S.C. § 924(c). The § 924(c) sentence must be served following the completion of the sentence imposed in Case No. 02cr1237 or the 210 month sentence imposed in this case, whichever is longer.

In 2020, Judge Preska vacated one of DiPietro's counts of conviction in Case No. 02cr1237, necessitating DiPietro's resentencing on his § 924(c) conviction in this case. When he is resentenced, DiPietro is subject to a mandatory term of 84 months' imprisonment. Accordingly, it is hereby

ORDERED that DiPietro shall consider whether to file a motion for compassionate release in Case No. 02cr1237 and advise this Court by **May 25, 2021** whether he intends to do so.

Dated: New York, New York
May 19, 2021



DENISE COTE
United States District Judge